



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED**JUN 28 2012**

Mr. Michael Eby
Chairman - Permanent Building Committee
Town of Wellesley
525 Washington Street
Wellesley, Massachusetts 02482

Re: PCB Cleanup and Disposal Approval under 40 CFR §§ 761.61(a) and (c),
and 761.79(h)
Wellesley High School
Wellesley, Massachusetts

Dear Mr. Eby:

This is in response to the Town of Wellesley (the Town) Notification¹ for approval to clean up and dispose of PCB-contaminated building materials located in the building known as the Wellesley High School (the Site) located at 50 Rice Street, Wellesley, Massachusetts. The Site contains PCB caulk that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a) and § 761.62.

In its Notification, the Town has proposed the following PCB cleanup and disposal plan:

- Remove and dispose of all PCB caulk with greater than or equal to (\geq) 50 parts per million (ppm) located in the 1955 and 1963/1964 additions;
- Remove and dispose of *non-porous surfaces* (e.g., metal frames) in contact with the \geq 50 ppm PCB caulk;
- Remove *porous surfaces* (i.e., brick and concrete) to a distance of 6 inches from a vertical PCB caulk joint and 12 inches from a horizontal caulk joint;

¹ The notification was prepared by CDW Consultants, Inc. on behalf of the Town of Wellesley to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was submitted dated February 2012 (PCB Abatement Plan (SIP)); April 2012 (Revised SIP and Response to EPA Comments); June 2012 (Revised SIP); and June 21, 2011 (email response to questions, revised contractor work plan and abatement figure). These submittals shall be referred to as the "Notification".

- Conduct verification sampling of masonry surround adjacent to exterior pink expansion joints following removal of 6 inches of adjacent masonry along vertical surfaces to confirm that the PCB cleanup standard of less than (<) 1 ppm has been met; and,
- Dispose of all PCB wastes as a ≥ 50 ppm PCB waste at a TSCA permitted disposal facility or a RCRA hazardous waste landfill in accordance with §§ 761.61(a)(5)(i)(b)(2)(iii) and 761.62(a).

The Town has determined that certain caulks and glazing which have PCB concentrations at < 50 ppm, meet the criteria for an *Excluded PCB Product* under § 761.3. Under the PCB regulations, *Excluded PCB Products* are authorized for use and thus there is no requirement for removal of the caulk or glazing or decontamination of surfaces that are in contact with the < 50 ppm caulk or glazing. While these building materials are not addressed in the Approval, the Town is proposing to remove the PCB products containing PCBs with greater than (>) 1 ppm but < 50 ppm for disposal prior to building demolition.

Based on EPA's review, the information provided in the Notification meets the requirements under 40 CFR §§ 761.61, 761.62, and 761.79(h) for removal and disposal of *PCB bulk product wastes* and *PCB remediation wastes*. Further, the proposed decontamination and disposal activities are consistent with the requirements and standards established under § 761.61(a), § 761.62, § 761.79 for similar types of PCB-contaminated materials.

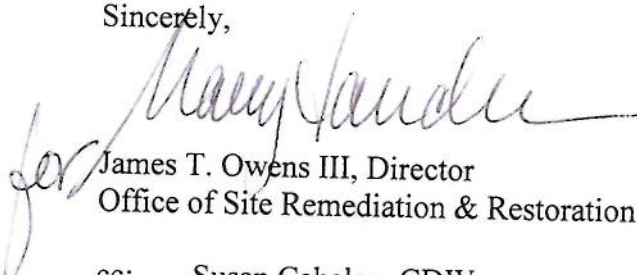
The Town is not proposing to collect verification sampling following removal of PCB-contaminated masonry, with the exception of the masonry surrounding the pink expansion joints. Characterization sampling of all other masonry surfaces was conducted in accordance with Subpart O and identified PCB concentrations of < 1 ppm. The Town is proposing to remove and dispose of all masonry located between the PCB caulk and these sampling locations (i.e., the cut line). Based on the information provided, EPA has determined that the Town's proposed plan is reasonable and will create no unreasonable risk to public health or the environment. EPA may approve this deviation from the verification sampling requirements under § 761.61(c).

The Town may proceed with its cleanup in accordance with 40 CFR §§ 761.61(a) and (c); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

Please be aware that this Approval **does not** address cleanup of PCB-contaminated soils as the characterization data, and the cleanup and disposal plan was not provided with the Notification. As PCB concentrations in certain soils have been identified at > 1 ppm, the Town shall submit a modification to this plan to incorporate cleanup of the soils, or the Town shall submit a separate PCB cleanup and disposal plan in accordance with 40 CFR § 761.61(a). Please see Attachment 1, Condition 1.

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,


James T. Owens III, Director
Office of Site Remediation & Restoration

cc: Susan Cahalan, CDW
Wellesley Board of Health
MassDEP NERO
File

Attachment - Approval Conditions

ATTACHMENT 1

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
WELLESLEY HIGH SCHOOL ("the Site")
50 RICE STREET, WELLESLEY, MASSACHUSETTS**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
 - a. This Approval does not address the cleanup of PCB-contaminated soils at the Site. Following completion of PCB-contaminated soil sampling, the Town of Wellesley (the Town) shall request a modification to this Approval to incorporate cleanup of the soils under this Approval (see Condition 15) or the Town shall submit a separate cleanup plan in accordance with 40 CFR § 761.61.
2. The Town shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. The Town must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, the Town shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. The Town is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time the Town has or receives information indicating that the Town or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by the Town are authorized to conduct the activities set forth in the Notification. The Town is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release the Town from compliance with any applicable requirements of federal, state or local law; or 3) release the Town from liability for, or otherwise resolve, any violations of federal, state or local law.

NOTIFICATION AND CERTIFICATION CONDITIONS

9. This Approval may be revoked if the EPA does not receive written notification from the Town of its acceptance of the conditions of this Approval within 10 business days of receipt.
10. The Town shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval; and,
 - b. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical methods and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

11. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, and the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.
12. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of PCB caulk (i.e., *PCB bulk product waste*) shall be removed as described in the Notification.
 - b. Verification sampling for *porous surfaces* (e.g., masonry surrounding pink expansion joints) shall be performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches.

- i) Verification sampling shall comply with Subpart O, as described in the Notification. In the event that sample results are greater than ($>$) 1 part per million (ppm), additional masonry shall be removed and verification samples shall be collected to confirm that the less than or equal to (\leq) 1 ppm PCB cleanup standard has been met.
 - ii) Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846 for solid matrices and Method 3500B/3510C of SW-846 for aqueous matrices; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction or analytical method(s) is validated according to Subpart Q.
- 13. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).
 - b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
 - c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 14. The Town shall allow any authorized representative of the Administrator of the EPA to inspect the Site, to inspect records, and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by the Town to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 15. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
- 16. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

17. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

18. The Town shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by the Town in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.
19. The Town shall submit a final report in hard copy and on CD-ROM, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo log; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests; and, copies of certificates of disposal or similar certifications issued by the disposer.
20. Required submittals shall be mailed to:
- Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
21. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT 1

